
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

Raad H. Al Zubaidi, <div style="text-align: center;">Plaintiff,</div> v. US Citizenship and Immigration Services, <div style="text-align: center;">Defendant.</div>	MEMORANDUM DECISION AND ORDER DENYING WITHOUT PREJUDICE MOTION FOR APPOINTMENT OF COUNSEL Case No. 2:20-cv-710 HCN DBP District Judge Howard C. Nielson Chief Magistrate Judge Dustin B. Pead
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This matter is before the court on pro se Plaintiff Raad H. Al Zubaidi’s Motion to Appoint Counsel.¹ The court will deny the motion without .

Although appointment of counsel is permitted in certain circumstances, a civil plaintiff has no statutory or constitutional right to the appointment of counsel. *See* 28 U.S.C. § 1915(e)(1). “The burden is on the applicant to convince the court that there is sufficient merit to his claim to warrant the appointment of counsel.” *Hill v. SmithKline Beecham Corp.*, 393 F.3d 1111, 1115 (10th Cir. 2004). Courts consider “the merits of a [plaintiff’s] claims, the nature and complexity of the factual and legal issues, and a [plaintiff’s] ability to investigate the facts and present his claims.” *Id.*

Here, Plaintiff seeks judicial review of a final administrative denial of a naturalization application. Based upon an initial review of Plaintiff’s Complaint, the court is not persuaded at this time that there is sufficient merit to warrant the appointment of counsel. Additionally, the court finds that Plaintiff has demonstrated that he has some ability to present his claims in a

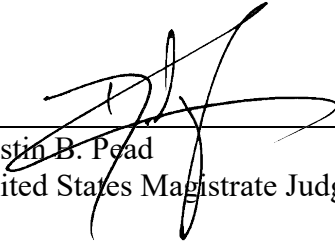
¹ The matter is referred to the undersigned from Judge Nielson under 28 U.S.C. § 636(b)(1)(B).

simple and concise manner. Plaintiff described the basic facts underlying his claim and the individuals he believes are responsible. Nonetheless, the court recognizes that counsel may subsequently become appropriate or necessary. Accordingly, the court will deny Plaintiff's motion to appoint counsel without prejudice.

ORDER

For the reasons discussed above, the court DENIES Plaintiff's motion to appoint counsel without prejudice. (ECF No. 4.)

DATED this 19 January 2021.



Dustin B. Pead
United States Magistrate Judge